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BEFORE THE ARIZONA CORPORATION COMMISSION 4: 09

MARC SPITZER

Chairman

WILLIAM A. MUNDELL

Commissioner

JIM IRVIN

Commissioner

JEFF HATCH-MILLER

Commissioner

MIKE GLEASON

Commissioner

Arizona Corporation Commission

DOCKETED

FEB 05 2003

DOCKETED BY

AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION  
OF SOUTHWEST GAS CORPORATION  
FOR APPROVAL OF ACQUISITION PLAN  
AND, IF APPROPRIATE, WAIVER  
SELECTED PROVISION OF THE  
AFFILIATE RULES

DOCKET NO. G-01551A-02-0425

NOTICE OF FILING PUBLIC NOTICE  
OF HEARING

Black Mountain Gas hereby files with the Arizona Corporation Commission's Docket  
Control a letter dated February 4, 2002 certifying that public notice of the hearing was sent  
to customers in November, 2003, in the above-captioned docket.

DATED: February 5<sup>th</sup>, 2003

FENNEMORE CRAIG, P.C.

By

Timothy Berg

Theresa Dwyer

3003 N. Central Ave, Suite 2600

Phoenix, Arizona 85012

Attorneys for Black Mountain Gas

An original and 13 copies  
of the foregoing delivered this 5<sup>th</sup>  
day of February, 2003, to:

Docket Control  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

1 COPY delivered this 5<sup>th</sup> day of  
2 February, 2003, to:

3 Christopher Kempley  
4 Legal Division  
5 Arizona Corporation Commission  
6 1200 West Washington Street  
7 Phoenix, Arizona 85007

8 Ernest Johnson  
9 Utilities Division  
10 Arizona Corporation Commission  
11 1200 West Washington Street  
12 Phoenix, Arizona 85007

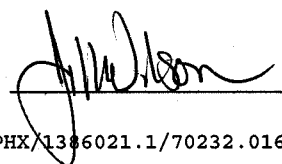
13 COPY mailed this 5<sup>th</sup> day of  
14 February, 2003 to:

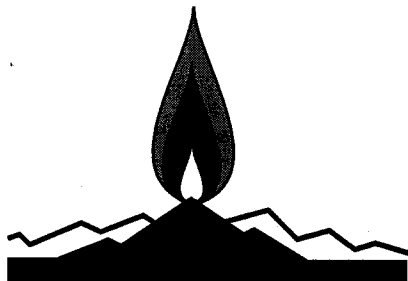
15 Andrew E. Bettwy  
16 Southwest Gas Corporation  
17 P.O. Box 98510  
18 Las Vegas, NV 89193-8510

19 Edward S. Zub  
20 Southwest Gas Company  
21 P.O. Box 427  
22 Cave Creek, AZ 85327

23 Nicholas J. Enoch  
24 Lubin & Enoch  
25 349 North Fourth Avenue  
26 Phoenix, Arizona, 85003

Scott S. Wakefield  
Residential Utility Consumer Office  
1110 West Washington Street, Suite 220  
Phoenix, Arizona 85007

  
PHX/1386021.1/70232.016



**BLACK MOUNTAIN  
GAS COMPANY**

480-488-3402  
FAX 480-488-1678

CAVE CREEK ROAD • P.O. BOX 427 • CAVE CREEK, ARIZONA 85327

February 4, 2003

Docket Control  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 85007

Re: Docket No. G-01551A-02-0425

In accordance with the Arizona Corporation Commission's Procedural Order dated September 11, 2002, Black Mountain Gas Company (BMG) hereby certifies that public notice of the hearing in this matter was provided in the form and style ordered by the Commission.

Notice was included in BMG's October billing cycle as required by the Procedural Order in this docket. Attached please find a copy of the letter provided to BMG by AmeriMail, which documents that the notice was inserted and mailed. AmeriMail is utilized by BMG to provide inserting and mailing service for distribution of monthly bills.

Sincerely,

John Reiber  
President  
Black Mountain Gas Company

# ***Ameri Mail***

**mailing service**

**7441 E. Butherus Dr. Suite 200 Scottsdale, Arizona 85260 (480) 998-0719  
Fax (480) 998-1854**

November 01, 2002

John Reiber  
Black Mountain Gas Company  
P O Box 427  
Cave Creek, AZ 85327

Dear Mr. Reiber,

This is to confirm to you and all other interested parties that all bills within all billing cycles for the month of October, 2002 were inserted and mailed by us, AmeriMail. We further confirm that all October bills contained a copy of the "PUBLIC NOTICE OF HEARING ON APPLICATION BY SOUTHWEST GAS CORPORATION FOR APPROVAL OF STOCK ACQUISITION PLAN FOR BLACK MOUNTAIN GAS COMPANY AND WAIVER OF AFFILIATE RULES DOCKET NO. G-01551A-02-0425."

Please call us at 480-998-0719 if you have any questions.

A handwritten signature in black ink, appearing to read "Ron Clinite", with a stylized flourish extending to the right.

Ron Clinite  
AmeriMail

**PUBLIC NOTICE OF HEARING ON**  
**APPLICATION BY**  
**SOUTHWEST GAS CORPORATION FOR**  
**APPROVAL OF**  
**STOCK ACQUISITION PLAN FOR**  
**BLACK MOUNTAIN GAS COMPANY**  
**AND WAIVER OF AFFILIATE RULES**  
**DOCKET NO. G-01551A-02-0425**

On June 7, 2002, Southwest Gas Corporation ("SWG") filed an application with the Arizona Corporation Commission ("Commission") for approval of an acquisition plan under which SWG would acquire the stock of Black Mountain Gas Company ("Black Mountain") and for waiver of select affiliate rules. If the application is granted SWG would succeed to ownership of the assets of Black Mountain used to provide natural gas and propane service within the State of Arizona.

The application is available for inspection during regular business hours at the offices of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona or in Tucson at 400 West Congress Street, Suite 218. The application is also available for inspection at the SWG office at 10851 N. Black Canyon Highway, Phoenix, Arizona, or at Black Mountain's offices, 6021 E. Cave Creek Road, Cave Creek, Arizona or 2000 E. Frontage Road in Page, Arizona.

The Commission will hold a hearing on this matter on February 24, 2003 at 10:00 a.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington, Phoenix, Arizona 85007. As a property owner or customer you may have the right to intervene in the proceeding. If you do not want to intervene, you may appear at the hearing and make a statement on your own behalf. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written notice to intervene with the Commission, which motion should be sent to the Applicants or their counsel and to all parties of record, and which, at a minimum, shall contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different than the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of the Applicants, a shareholder or member of the Applicants, etc.)
3. A statement certifying that a copy of the motion to intervene has been mailed to the Company or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before February 10, 2003. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. However, failure to intervene will

not preclude any customer from appearing at the hearing and making a statement on such customer's own behalf. However, you will not receive any further notice of the proceeding unless requested by you.

If you have any questions or concerns about this application or have any objections to its approval, or wish to make a statement in support of it, you may write the Consumer Services Section of the Commission at 1200 West Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000 or appear at the hearing and make comment. Please include the Docket Number on all correspondence: G-01551A-02-0425.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting Shelly Hood, ADA Coordinator, voice phone number 602-542-3931, E-mail [shood@cc.state.az.us](mailto:shood@cc.state.az.us). Requests should be made as early as possible to allow time to arrange the accommodation.